

### 3 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND MITIGATION MEASURES

#### 3.14 Agricultural Farmland and Forest Land

##### 3.14.1 Introduction

Section 3.14, Agricultural Farmland and Forest Land, of the Los Angeles to Anaheim Project Section (project section) Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) discusses the potential impacts of the No Project Alternative and the High-Speed Rail (HSR) Project Alternatives, otherwise called Shared Passenger Track Alternative A and Shared Passenger Track Alternative B. Within the project section, the project alignment runs along an existing rail corridor through a dense, urban environment.

##### *Agricultural Farmland*

Throughout the agricultural producing areas in California, farmland is being converted to nonagricultural uses. This section summarizes the project's potential impacts on agricultural farmland.

##### 3.14.1.1 Definition of Resources

The following are definitions for agricultural farmland analyzed in this Draft EIR/EIS:

- **Important Farmland:** Properties identified as Important Farmland do not necessarily correspond to parcel boundaries. Categories of Important Farmland identified under the Farmland Mapping and Monitoring Program (FMMP), which is administered by the California Department of Conservation (DOC), are identified and used for this analysis, as described below:
  - **Prime Farmland:** Prime Farmland is land with the best combination of physical and chemical features to sustain long-term agricultural crop production. These lands have the soil quality, growing season, and moisture supply necessary to produce sustained high yields. Soil must meet the physical and chemical criteria determined by the Natural Resources Conservation Service (NRCS). Prime Farmland must have been used for production of irrigated crops at some time during the 4 years prior to the FMMP's mapping date.
  - **Farmland of Statewide Importance:** Farmland of Statewide Importance is similar to Prime Farmland but with minor differences, such as having greater slopes or soils with a lesser ability to store moisture. Farmland of Statewide Importance must have been used for production of irrigated crops at some time during the 4 years prior to the mapping date.
  - **Unique Farmland:** Unique Farmland has lower-quality soils than Prime Farmland or Farmland of Statewide Importance. Unique Farmland is used for producing the state's leading agricultural crops. These lands usually are irrigated but could include unirrigated orchards or vineyards found in some climatic zones. Unique Farmland must have been used for crops at some time during the 4 years prior to the mapping date.
  - **Farmland of Local Importance:** Farmland of Local Importance is farmland that is important to the local agricultural community as determined by each county's board of supervisors and local advisory committees.

##### 3.14.2 Laws, Regulations, and Orders

This section describes the federal, state, and local laws, regulations, orders, and plans that are relevant to agricultural farmland and forest land resources.

##### 3.14.2.1 Federal

##### **Federal Railroad Administration (FRA), Procedures for Considering Environmental Impacts (64 Federal Register 28545)**

On May 26, 1999, the FRA released *Procedures for Considering Environmental Impacts* (FRA 1999). These FRA procedures describe the FRA's process for assessing the environmental

impacts of actions and legislation proposed by the agency and for the preparation of associated documents (42 U.S. Code 4321 et seq.). The FRA Procedures for Considering Environmental Impacts states that “the EIS should identify any significant changes likely to occur in the natural environment and in the developed environment. The EIS should also discuss the consideration given to design quality, art, and architecture in project planning and development as required by U.S. Department of Transportation Order 5610.4.” These FRA procedures state that an EIS should consider possible impacts on the use of natural resources and land use.

### **Farmland Protection Policy Act (FPPA) of 1981 (7 U.S. Code Sections 4201 to 4209 and 7 Code of Federal Regulations Part 658)**

The FPPA (U.S. Code Title 7, Section 4201 et seq.) is intended to protect farmland and requires federal agencies to coordinate with the U.S. Department of Agriculture, NRCS, if their activities may irreversibly convert farmland to nonagricultural use, either directly or indirectly. The stated purpose of the FPPA is to “minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses.” The FPPA requires federal agencies to examine potential direct and indirect effects on farmland of a proposed action and its alternatives before approving any activity that would convert farmland to nonagricultural use. The U.S. Department of Agriculture issues regulations to implement the FPPA.

For the purpose of the FPPA, *Important Farmland* includes Prime Farmland, Unique Farmland, and Farmland of Statewide or Local Importance, as defined by Section 1540(c)(1) of the FPPA. Classification standards differ from state to state; each state may set its own criteria for classification in each category. Federal farmland classification criteria may differ from those developed by DOC, which are described in Section 3.14.2.2, State. State Farmland subject to FPPA requirements includes forest land, pastureland, cropland, or other land but does not include water or urban built-up land.

The FPPA exempts the following land types:

- Soil types not suitable for crops, such as rocky terrain or sand dunes
- Sites where the project's right-of-way is entirely within a delineated urban area and the project requires no Prime or Unique Farmland, or any Farmland of Statewide or Local Importance
- Farmland that has already been converted to industrial, residential, or commercial uses or is used for recreational activity

The FPPA applies to projects and programs sponsored or financed in whole or in part by the federal government. FPPA implementing regulations identify requirements to ensure that federal programs, to the extent practical, are compatible with state, local, and private programs and policies to protect farmland. The FPPA requires a rating of farmland conversion impacts based on Land Evaluation and Site Assessment criteria identified in 7 Code of Federal Regulations Part 658.5. These criteria are addressed through completion of a Farmland Conversion Impact Rating for Corridor Type Projects form (NRCS-CPA-106), which requires input from both the federal agency involved and from NRCS.

### **Minimum Safe Altitudes (14 Code of Federal Regulations Part 91.119)**

These regulations establish the lowest altitude at which aircraft, including helicopters, may fly. For rural areas, aircraft may fly no closer than 500 feet from any person, vessel, vehicle, or structure.

#### **3.14.2.2 State**

### **California Land Conservation Act of 1965 (California Government Code, Section 51200 et seq.)**

The California Land Conservation Act of 1965, commonly known as the Williamson Act, provides a reduced tax rate to landowners who establish voluntary enrollment of agricultural and open-space land into contracts with local governments. This program restricts the land under contract to agricultural and open-space uses and compatible uses.

- **Williamson Act contracts:** Williamson Act contracts are for periods of 10 years and longer, renewing automatically each year to maintain a constant 10-year contract. The participating landowner, and only a landowner, may choose to initiate a nonrenewal of their contract, in which case the contract would terminate 9 years after the filing of a notice of nonrenewal. Land under Williamson Act contract does not necessarily correspond with parcel boundaries, and such land can be classified as Important Farmland or other types of land. Impacts on lands under these preservation regulations could further contribute to conversion of Important Farmland to nonagricultural uses. Williamson Act contracts are not limited to lands classified as Important Farmland and may also apply to other types of agricultural land (such as grazing land), open space, and solar energy farms.
- **Farmland Security Zone:** Farmland Security Zone contracts are another option in the Williamson Act program. Farmland Security Zone contracts offer landowners greater property tax reductions with a minimum term of 20 years. Farmland Security Zone contracts are renewed annually unless an owner files a notice of nonrenewal.
- **Local agricultural zoning:** As part of administration of the Williamson Act at the local level, counties and cities adopt local agricultural zoning consistent with the limitations on nonagricultural use established by the state law. This zoning includes the establishment of agricultural preserves, which encompass the lands under contract. California Government Code Section 51238 states that, unless otherwise decided by a local board or council, the erection, construction, alteration, or maintenance of electric and communication facilities, as well as other facilities, are determined to be compatible uses in any agricultural preserve.

#### **Farmland Mapping and Monitoring Program**

The FMMP is the only statewide agricultural land use inventory conducted on a regular basis. DOC administers the FMMP, under which it maintains an automated map and database system to record changes in agricultural land use. The FMMP categories include agricultural and nonagricultural land, as described in Section 3.14.1.1.

The FMMP focuses on agricultural land that has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained yields of crops. Farmland of Local Importance can cover a broader range of agricultural uses and is initially identified by a local advisory committee convened in each county by the FMMP in cooperation with NRCS and the county board of supervisors.

#### **California Farmland Conservancy Program Act (California Public Resources Code, Sections 10200 to 10277)**

This act provides a mechanism for DOC to establish agricultural conservation easements on farmland. *Agricultural conservation easement* means an interest in land, less than fee simple, that represents the right to prevent the development or improvement of the land for any purpose other than agricultural production. The easement is granted for the California Farmland Conservancy Program by the owner of a fee simple interest in land to a local government, nonprofit organization, resource conservation district, regional park or open-space district, or authority that has the conservation of farmland among its stated purposes or as expressed in the entity's locally adopted policies. It is granted in perpetuity and runs with the land. The landowner may make a request to DOC that the easement be reviewed for possible termination 25 or more years from the date of sale of the agricultural conservation easement.

#### **California Timberland Productivity Act of 1982 (California Government Code, Section 51100 et seq.)**

This law seeks to “discourage premature or unnecessary conversion of timberland to urban and other uses; discourage expansion of urban services into timberland; and encourage investment in timberlands based on reasonable expectation of harvest.” The act established the Timberland Production Zone or Timberland Production Zone regulatory tool and describes the powers and duties of local governments in protecting timberlands. Similar to the Williamson Act, this law provides a property tax incentive for the voluntary enrollment of timber production lands in

contracts between local government and landowners. The contract restricts the land to timber production and open-space uses, and compatible uses defined in state law and local ordinances. Timberland production contracts are for 10 years and longer. A county or city establishes a timberland preserve through zoning that defines the boundary within which the local government will enter into contracts with landowners.

### **Sustainable Communities and Climate Protection Act of 2008 (Senate Bill 375)**

Senate Bill 375, the Sustainable Communities and Climate Protection Act of 2008 (Chapter 728, Statutes of 2008), provides a new planning process to coordinate community development and land use planning with regional transportation plans in an effort to reduce sprawling land use patterns and dependence on private vehicles, thereby reducing vehicle miles traveled and greenhouse gas emissions associated with vehicle miles traveled. Senate Bill 375 is one major tool being used to meet the goals in the Global Warming Solutions Acts (Assembly Bill 32, Chapter 488, Statutes of 2006). Under Senate Bill 375, the California Air Resources Board sets greenhouse gas emission reduction targets for 2020 and 2035 for the metropolitan planning organizations in the state. Each metropolitan planning organization must then prepare a “sustainable communities strategy” as part of its regional transportation plan that meets the greenhouse gas emission reduction targets. The Southern California Association of Governments set reduction targets of 6 percent by 2020 and 8 percent by 2035 (SCAG 2010). If the regional transportation plan cannot meet the targets, then the metropolitan planning organization must adopt an alternative planning strategy instead of the sustainable communities strategy. The alternative planning strategy is adopted separately from the regional transportation plan and does not need to reflect the fiscal constraints that otherwise apply to the transportation investments identified in the regional transportation plan.

### **California General Plan Law (California Government Code 65300 et seq.)**

General Plan Law requires each city and county to adopt “a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning” (California Government Code 65300). The general plan must identify the density and intensity of land uses within the jurisdiction’s planning area. Furthermore, it establishes local policy regarding the pattern of future land uses, including agriculture. State law mandates that each general plan include at least seven elements, of which the conservation and open-space elements typically include goals, objectives, and policies relating to agricultural farmland.

#### **3.14.2.3 Regional and Local**

The project section would primarily be in Los Angeles and Orange Counties and the cities of Los Angeles, Vernon, Commerce, Bell, Montebello, Pico Rivera, Santa Fe Springs, Norwalk, La Mirada, Buena Park, Fullerton, and Anaheim. Table 3.14-1 lists the regional plan and policy that were identified related to agricultural resource areas.

**Table 3.14-1 Regional and Local Plans and Policies**

Policy Title	Summary
No applicable policies, goals or objectives. There is no land being used for agriculture in the Los Angeles to Anaheim Project Section.	

### **3.14.3 Methods for Evaluating Impacts**

The evaluation of impacts on agricultural farmland resources is a requirement of the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). The following sections summarize the resource study areas (RSA) the California High-Speed Rail Authority used to analyze potential project impacts on agricultural farmland. These methods apply to both NEPA and CEQA analyses unless otherwise indicated.

The presence of agricultural farmland and forest land was determined by overlaying project design ArcGIS Geodatabase files over DOC FMMP data.

Using geographic information system software, this information provided the basis for calculating acreages associated with direct and indirect impacts on agricultural farmland. Because the project footprint does not have any land designated as Important Farmland and it is not used for agricultural purposes, no conversion of Important Farmland would occur, and a Land Evaluation and Site Assessment and Important Farmland remnant parcel analysis were not performed.

### 3.14.3.1 Definition of Resource Study Area

As defined in Section 3.1, Introduction, the RSA is the geographic boundary in which the California High-Speed Rail Authority conducted environmental investigations specific to each resource topic. The RSA for impacts on agricultural farmland is defined as the areas where direct and indirect impacts could result in temporary or permanent conversion of Important Farmland to a nonagricultural use, should they exist.

Table 3.14-2 provides a general definition and boundary description for the RSA for agricultural farmland and forest land within the project section as depicted on Figure 3.14-1.

**Table 3.14-2 Definition of Agricultural Farmland and Forest Land Resource Study Area**

General Definition	Resource Study Area Boundary
<b>Agricultural Farmland and Forest Land</b>	
Direct impacts	Area of temporary disturbance (for temporary impacts), permanent project footprint <sup>1</sup> (for permanent impacts), and 100 feet from the track centerline <sup>2</sup>
Indirect impacts	Direct impacts RSA plus 25 feet

<sup>1</sup> The project footprint includes all areas required to build, operate, and maintain all permanent high-speed rail facilities, including permanent right-of-way, permanent utility and access easements, and temporary construction easements.

<sup>2</sup> Note that 100 feet from the track centerline refers to noise impacts on livestock.

### 3.14.3.2 Methods for Evaluating Impacts Under NEPA

NEPA implementing procedures, regulations, and guidance provide the basis for evaluating project effects (as described in Section 3.1.1). The criteria of context and intensity are considered together when determining the severity of changes introduced by the project.

- **Context:** For this analysis, the *context* includes regional, state, and national agricultural markets. Agricultural products from Los Angeles and Orange Counties, especially in the urbanized area of the RSA, do not form a large sector of the food market at all these levels, and agriculture is not the largest sector of the economy in the two counties affected by the project.
- **Intensity:** For this analysis, *intensity* is determined by the acreage of Important Farmland temporarily used during construction, the acreage of Important Farmland directly permanently converted to nonagricultural use during construction, the acreage of permanent remnant parcels of Important Farmland indirectly created during construction, the acreage of Important Farmland permanently indirectly affected during construction and operations, the potential for the project to interfere with implementation of Williamson Act contracts on Important Farmland, and numerical scores on the NRCS Land Evaluation and Site Assessment Form NRCS-CPA-106.

### 3.14.3.3 Methods for Determining Significance Under CEQA

CEQA requires that an EIR identify the significant environmental impacts of a project (State CEQA Guidelines Section 15126). One of the primary differences between NEPA and CEQA is that CEQA requires a significance determination for each impact using a threshold-based analysis (refer to Section 3.1.5.4, Methods for Evaluating Impacts, for further information). By

contrast, under NEPA, significance is used to determine whether an EIS will be required; NEPA requires that an EIS is prepared when the proposed federal action (project) as a whole has the potential to “significantly affect the quality of the human environment.” Accordingly, Section 3.14.8, CEQA Significance Conclusions, summarizes the significance of the environmental impacts on agricultural lands for each project alternative. For this analysis, the project would result in a significant impact on agricultural farmland if it would:

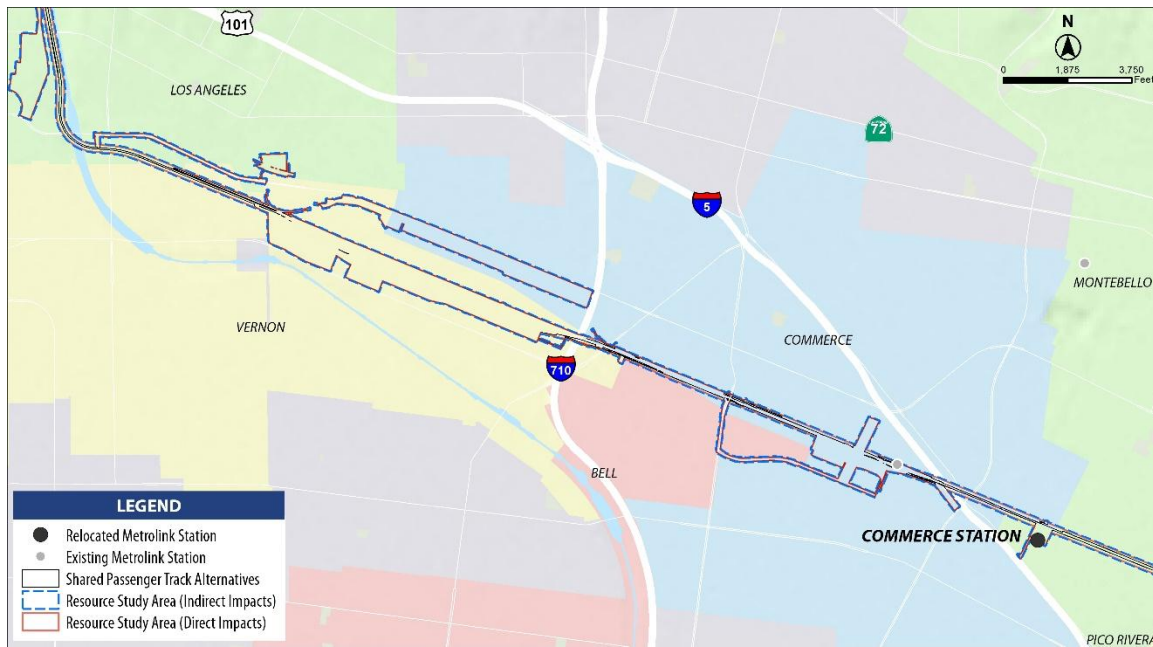
- Convert Important Farmland to a nonagricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract in a manner that would result in conversion of Important Farmland to nonagricultural use.
- Involve other changes in the existing environment that, because of their location or nature, could result in conversion of Important Farmland to nonagricultural use.



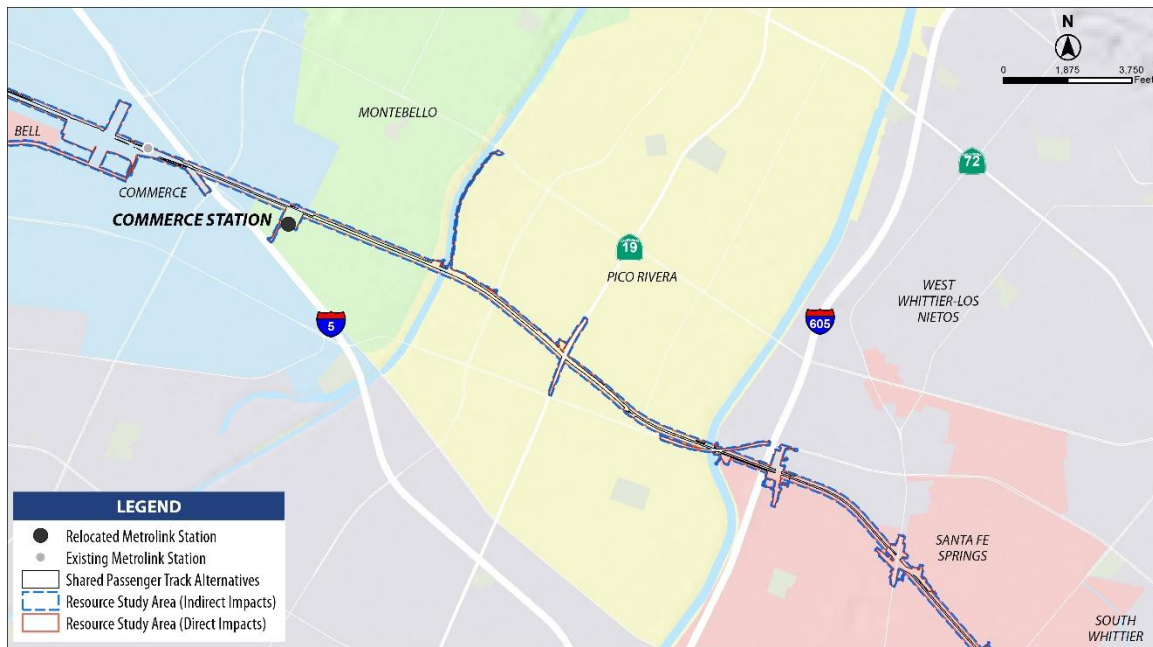


Source: ESRI 2023

**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 1 of 7**



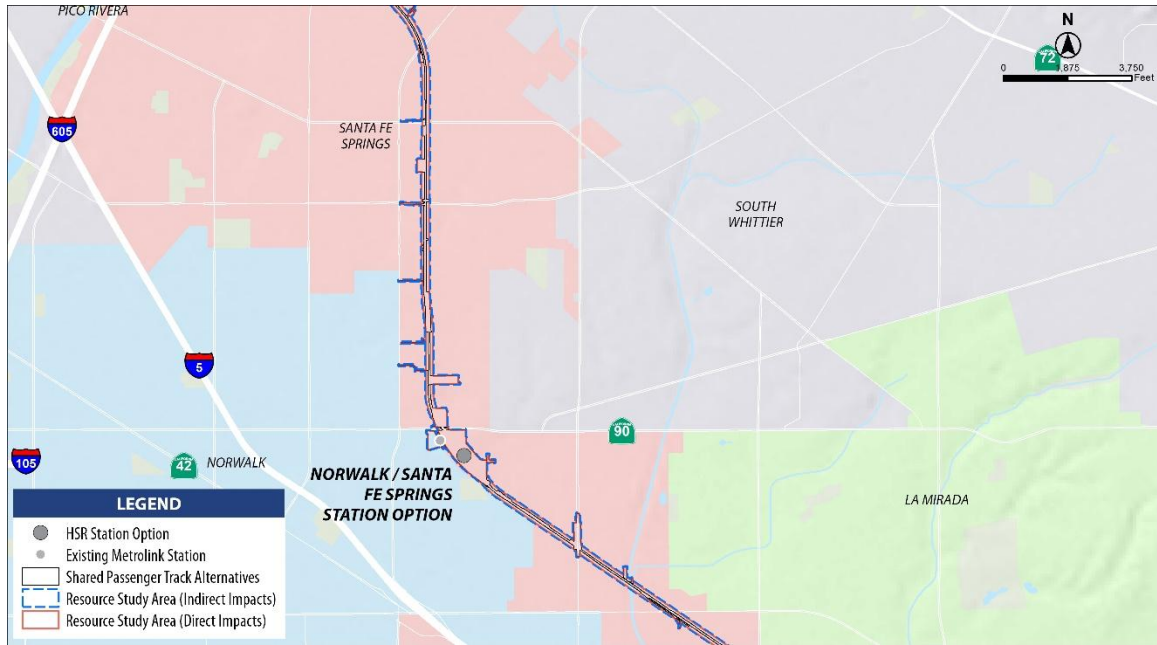
Source: ESRI 2023

**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 2 of 7**

Source: ESRI 2023

**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 3 of 7**





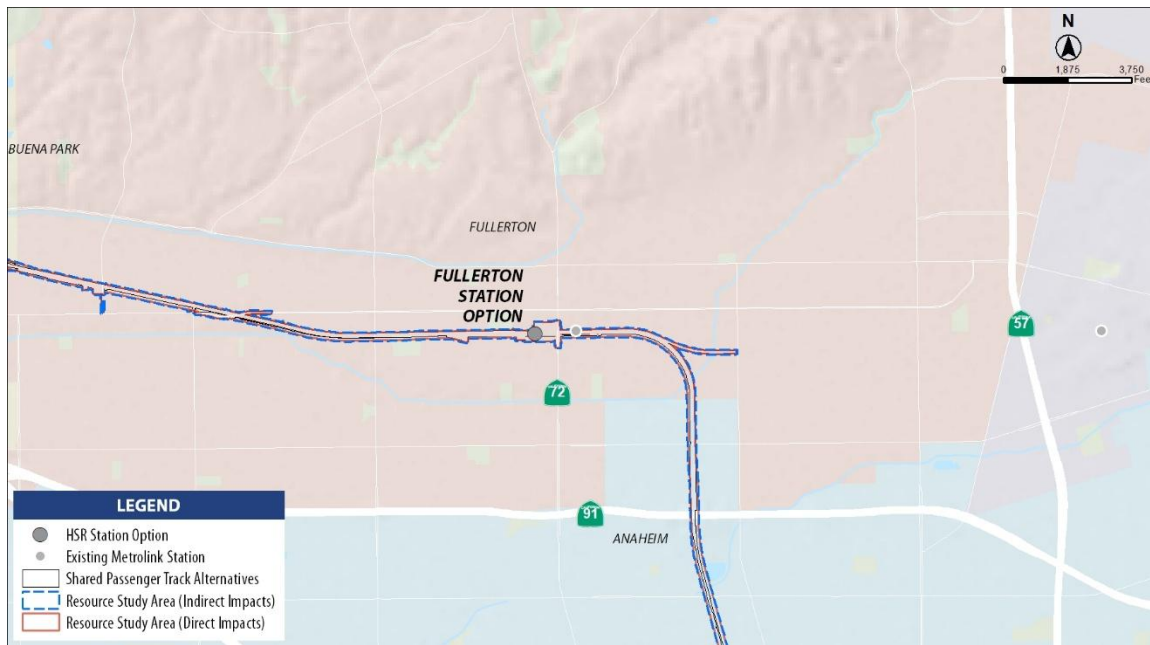
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**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 4 of 7**



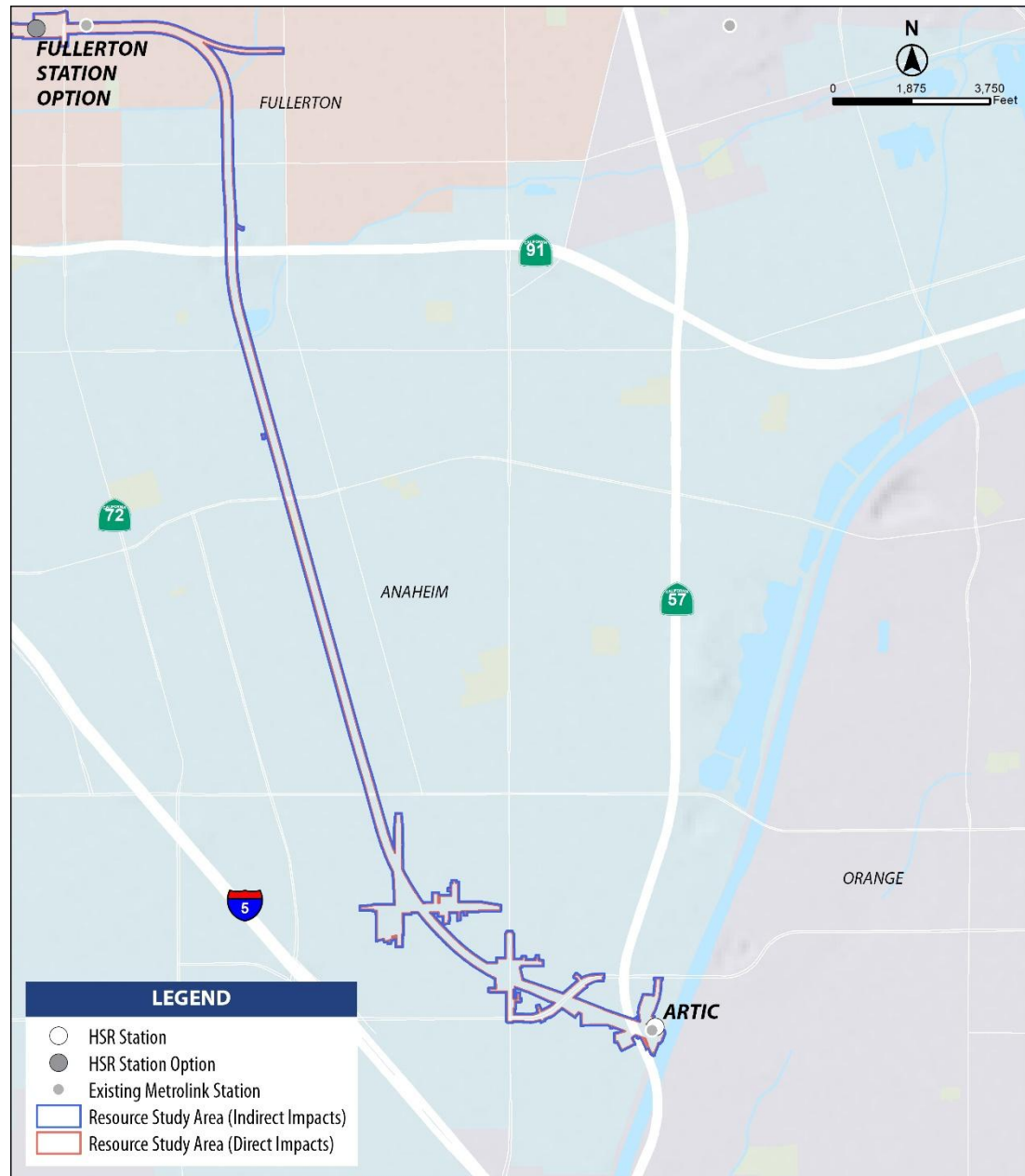
Source: ESRI 2023

**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 5 of 7**



Source: ESRI 2023

**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 6 of 7**



Source: ESRI 2023

**Figure 3.14-1 Agricultural Farmland and Forest Land Resource Study Area, Sheet 7 of 7**

#### 3.14.4 Affected Environment

Based on the review of geographic information system data files of land in the RSA and data gathered from county and city general plans, there is no agricultural farmland, or forest land, with a land use category or zoning designation for agriculture that is currently developed as agriculture within the RSA. West Whittier, along the San Gabriel River Path, contains 1.36 acres of land zoned for light agricultural use with allowed uses including riding and hiking trails but excluding trails for motor vehicles (refer to Figure 3.14-2). However, this land is designated as public and semipublic and is part of the San Gabriel River Path that is currently being used for private utilities, including electric, water, and gas lines as permitted under Title 22 of Chapter 22.16.030 (Ord. 2019-0004 § 1, 2019) of Los Angeles County provisions. Furthermore, this land is not

designated as an agricultural resource area (County of Los Angeles 2025). Agricultural resource areas consist of farmland identified by the California DOC including Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, and Unique Farmland. The *Los Angeles County General Plan 2035 (2022)* excludes agricultural resource areas as lands that are designated Public and Semi-Public. Therefore, no direct or indirect impacts on Important Farmland would occur because the land is not designated as such.



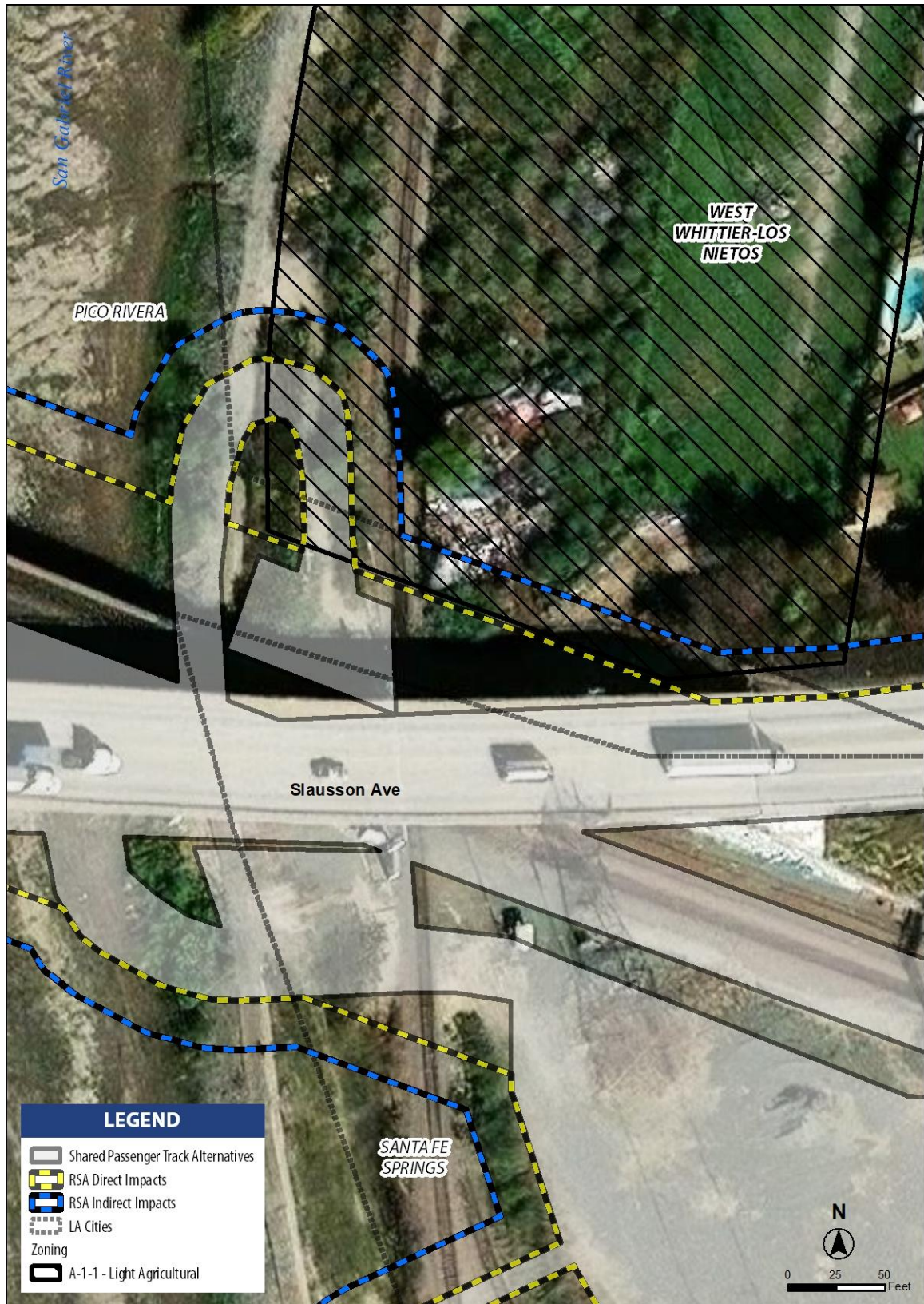


Figure 3.14-2 Land Zoned for Agricultural Use within the Resource Study Area



### **3.14.5 Environmental Consequences**

As previously mentioned, there is no Important Farmland or forest land with a land use category or zoning designation for agriculture that is currently developed as agriculture within the RSA. Although West Whittier contains 1.36 acres of land zoned for light agricultural use, this land is designated as public and semipublic land and is not designated as an agricultural resource area. Therefore, no direct or indirect impacts on Important Farmland would occur from the No Project Alternative, either Shared Passenger Track Alternative, or the station options.

#### **3.14.5.1 No Project Alternative**

Under the No Project Alternative, the Shared Passenger Track Alternatives would not be constructed. The No Project Alternative represents the condition of the project section as it would exist without the HSR system at the planning horizon year of 2040. Because the only parcel zoned for light agricultural use in the RSA is currently used to house private utilities and would not be converted to agricultural uses, there would be no impacts on agricultural land within the RSA.

#### **3.14.5.2 Shared Passenger Track Alternative A**

Soil excavation with heavy machinery to install maintenance facilities, drainage improvements, communications towers, and security fencing and noise and vibration associated with excavation work could result in impacts on the lives and health of livestock on agricultural land and could contribute to the disturbance of soil that may be used for growing crops and feeding livestock. However, impacts on agricultural land would not occur because there are no current agricultural land uses in the RSA. The only parcel zoned for agricultural use in the RSA has an existing private utility use; therefore, no agricultural lands will be converted. Additionally, as depicted on Figure 3.14-2, use of the parcel would be temporary. Construction of the project would not result in impacts on agricultural land.

No impacts on agricultural farmland would occur from operation of the project because there is no farmland within the RSA.

The Angeles National Forest, which is approximately 11 miles north of the project section, is the closest forest. The closest Prime Farmland, as designated by the FMMP, is approximately 5 miles northeast of the project section (DOC 2022). The closest Unique Farmland, as designated by the FMMP, is approximately 2 miles southeast of the project section. Each of these resources is well outside of the RSA. Neither agricultural farmland nor forest land would be converted to nonagricultural or nonforestry use; no impacts would occur.

Overall, no impacts on agricultural farmland or forest land would occur from the project under NEPA and CEQA. The project section would not result in any impacts on agricultural farmland and forest land because no agricultural farmland and forest land is present within the RSA.

#### **3.14.5.3 Shared Passenger Track Alternative B**

Impacts under Shared Passenger Track Alternative B would be the same as those of Shared Passenger Track Alternative A, because the alternative would not result in any impacts on agricultural farmland and forest land because no agricultural farmland and forest land is present within the RSA.

#### **3.14.5.4 High-Speed Rail Station Options**

##### **High-Speed Rail Station Option: Norwalk/Santa Fe Springs**

With inclusion of the Norwalk/Santa Fe Springs HSR Station Option, impacts in the station area would be the same as those of the Shared Passenger Track Alternatives. This HSR station option would not result in any impacts on agricultural or forest land, because no such land is present within the RSA.

**High-Speed Rail Station Option: Fullerton**

With inclusion of the Fullerton HSR Station Option, impacts in the station area would be the same as those of the Shared Passenger Track Alternatives. This HSR station option would not result in any impacts on agricultural or forest land, because no such land is present within the RSA.

**3.14.6 Mitigation Measures**

There are no mitigation measures for agricultural farmland and forest land because there would be no impacts from the Shared Passenger Track Alternatives.

**3.14.7 NEPA Impacts Summary**

There would be no impacts on Important Farmland or forest land from any of the alternatives or HSR station options under NEPA, because there are no lands designated as such.

**3.14.8 CEQA Significance Conclusions**

The Shared Passenger Track Alternatives would not result in the conversion of Important Farmland or involve other changes in the existing environment that could result in the conversion of Important Farmland to nonagricultural use, nor would it conflict with any existing zoning or a Williamson Act contract. There would be no significant unavoidable impacts on Important Farmland or forest land from the Shared Passenger Track Alternatives under CEQA, because there are no lands designated as such.